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ABSTRACT

A review and analysis was conducted of state programs in bilingual education for the purpose of describing authorizing legislation, identifying program goals, objectives and mandated or prohibited approaches or practices; defining program requirements for staff qualifications, training activities, materials development and technology and study/teacher ratios. The legislative review necessary to accomplish these tasks prompted the thought that it would be helpful to the bilingual education community, and those administratively involved with this community, if all the major provisions of existing state legislation supporting bilingual instruction in the Nation were contained in one volume. This supporting volume of the final report for the Study of State Programs in Bilingual Education is a result of this. For each of the 50 states plus American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands, it contains data and information relating to: (1) whether or not bilingual instruction is permitted, mandated or prohibited; (2) the identity of the state's bilingual instruction authority; (3) the prime goal of the state's bilingual education program; (4) the amount of state funds appropriated for support of bilingual education during the 1975-1976 school year; and (5) the major governing conditions imposed by the state's legislative authority for the implementation of bilingual instruction. (Author/CFM)

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Supporting Volume III

of

A Study of State Programs in Bilingual Education

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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Inventory of Bilingual Education Provisions in State Legislation

By

Development Associates, Inc.
1521 New Hampshire Ave., N.W.
Washington, D.C.

March 1977

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INVENTORY OF BILINGUAL EDUCATION
PROVISIONS IN STATE LEGISLATION

SUPPORTING VOLUME III

OF

"A STUDY OF STATE PROGRAMS
IN BILINGUAL EDUCATION"

Under Contract No. HEW-300-75-0353

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Submitted By:

DEVELOPMENT ASSOCIATES, INC.
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March 1977

DEVELOPMENT ASSOCIATES, INC.

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INTRODUCTION

Development Associates, Inc., conducted a review and analysis of state programs in bilingual education for the purpose of describing authorizing legislation, identifying program goals, objectives and mandated or prohibited approaches or practices; defining program requirements for staff qualifications, training activities, materials development and technology and study/teacher ratios. The legislative review necessary to accomplish these tasks prompted the thought that it would be helpful to the bilingual education community, and those administratively involved with this community if all the major provisions of existing state legislation supporting bilingual instruction in the Nation were contained in one volume. This supporting volume of the final report for the Study of State Programs in Bilingual Education is a result of this. It contains for each of the 50 states plus American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands data and information relating to:

- Whether or not bilingual instruction is permitted, mandated or prohibited;
- The identity of the state's bilingual instruction authority;
- The prime goal of the state's bilingual education program;
- The amount of state funds appropriated for support of bilingual education during the 1975-1976 school year; and
- The major governing conditions imposed by the state's legislative authority for the implementation of bilingual instruction.

To define the status of bilingual instruction as permitted, mandated or prohibited in states silent on the subject of bilingual instruction in their schools, the study staff, after due consideration of the study's intent and faced with the fact that the silent states tacitly permit bilingual instruction in their schools, opted for recording these states as "permitting" bilingual instruction.

In undertaking this work the study staff found it necessary to attribute specific interpretations to the meaning of certain words used in the legislative texts reviewed. It was found that without making such interpretations the work could not be completed. We recognize that other individuals may attach other interpretations to the words in legislative texts and that these interpretations might be in conflict with those contained herein; in such cases this volume at least serves as a useful beginning.

The information in this volume is current as of December 1976. Since mid-1975, seven states have changed their posture with regard to bilingual education -- California, Colorado, Indiana, Iowa, Louisiana, Utah, and Wisconsin. Other states, e.g., Missouri, have tried to change but the proposed legislation failed to pass.

The data are presented in two parts: Part I: Status and Summary of the Provisions Contained in State Bilingual Instruction/Education Legislation (in the form of four tables) and Part II: Individual Inventory of Bilingual Provisions in Current State Legislation Governing Education by State.

PART I

Status and Summary of the Provisions Contained in
State Bilingual Instruction/Education Legislation

STATUS AND SUMMARY OF PROVISIONS CONTAINED IN STATE BILINGUAL INSTRUCTION/EDUCATION LEGISLATION


Bilingual instruction Code	STATE	Defines the type of program to be implemented, i.e., Transition, Enrichment, etc.	Limits the duration of bilingual instruction	Limits grades in which bilingual instruction is permitted	Provides for a 'Limited English Speaker' census	Provides for yearly evaluation of bilingual education students	Provides for 'Time in Program' extensions	Requires a formal LEA application	Mandates a cultural component	Defines ESL or TESL as bilingual education	Requires parental consent for enrollment	Provides for Participation by monolingual English speakers	Prohibits segregation of students	Discourages comingling of disparate age, achievement or language students	Mandates Directors of Bilingual Education at LEAs	Status
(1) Prohibited																
(2) Permitted																
(3) Mandatory																
(4) Silent																
Alabama																(1)
Alaska									X							(3)
Arizona		X	X	X		X										(2)
Arkansas																(1)
California		X			X	X		X	X		X	X	X			(3)
Colorado		X	X	X	X			X	X		X	X	X	X	X	(3)
Connecticut		X							X							(2)
Delaware																(1)
Florida																(2)
Georgia																(4)
Hawaii																(4)
Idaho																(1)
Illinois		X	X		X	X	X	X	X		X		X	X		(3)
Indiana		X						X	X		X	X		X		(2)
Iowa																(2)
Kansas				X				X								(2)
Kentucky																(4)
Louisiana		X									X					(2)
Maine		X	X	X												(2)
Maryland																(4)
Massachusetts		X	X		X	X	X	X	X		X		X	X		(3)
Michigan		X	X		X	X			X		X					(3)
Minnesota		X		X						X						(2)
																(4)
																(4)

STATUS AND SUMMARY OF PROVISIONS CONTAINED IN STATE BILINGUAL INSTRUCTION/EDUCATION LEGISLATION

Bilingual Instruction Code																				
		(1) Prohibited	(2) Permitted	(3) Mandatory	(4) Silent	Defines the type of program to be implemented, i.e., Transition, Enrichment, etc.	Limits the duration of bilingual instruction	Limits grades in which bilingual instruction is permitted	Provides for a 'Limited English Speaker' census	Provides for yearly evaluation of bilingual education students	Provides for 'Time in Program' extensions	Requires a formal LEA application	Mandates a cultural component	Defines ESL or TESL as bilingual education	Requires parental consent for enrollment	Provides for participation by monolingual English speakers	Prohibits segregation of students	Discourages comingling of disparate age, achievement or language students	Mandates Directors of Bilingual Education at LEAs	Status
STATE																				
Montana																				(1)
Nebraska																				(1)
Nevada																				(4)
New Hampshire																				(2)
New Jersey		X	X					X					X		X		X	X		(3)
New Mexico		X					X				X		X	X			X			(2)
New York		X	X							X			X							(2)
North Carolina																				(1)
North Dakota																				(1)
Ohio																				(4)
Oklahoma																				(1)
Oregon		X												X						(2)
Pennsylvania																				(2)
Rhode Island		X	X					X	X	X	X	X	X		X	X	X	X	X	(3)
South Carolina																				(4)
South Dakota																				(4)
Tennessee																				(4)
Texas		X	X	X	X	X	X	X	X	X	X	X	X	X			X	X		(3)
Utah		X									X									(2)
Vermont																				(4)
Virginia																				(4)
Washington																				(2)
West Virginia																				(1)
Wisconsin		X						X						X	X	X	X			(3)
Wyoming																				(4)
ERIC		19	10	7	9	7	5	9	13	3	11	6	9	7	2					

STATUS AND SUMMARY OF PROVISIONS CONTAINED IN STATE BILINGUAL INSTRUCTION/EDUCATION LEGISLATION

Bilingual Instruction Code		Addresses bilingual teacher qualification, training and/or certification requirements	Allows bilingual teacher certification waivers	Provides for use of Teacher Aides	Provides for use of Community Coordinators	Provides for Parent/Community involvement	Makes available supplementary State funds	Provides for administrative elements at SEA level	Outlines methodology for program implementation	Provides for yearly reports to State legislature	Provides for children identified as non-English speakers under the Civil Rights Act	Provides for participation between school districts	Provides for financial assistance to develop bilingual staff	Provides for the use of foreign associated teachers	Provides for enforcement of the mandating legislation	Status
(1) Prohibited	(2) Permitted															
STATE																
Alabama																(1)
Alaska						X	X	X					X			(3)
Arizona	X					X				X		X				(2)
Arkansas																(1)
California	X	X	X		X	X	X	X	X	X	X	X	X			(3)
Colorado	X	X	X	X	X	X	X	X	X	X	X	X	X			(3)
Connecticut	X	X								X						(2)
Delaware																(1)
Florida						X										(2)
Georgia																(4)
Hawaii																(4)
Idaho																(1)
Illinois	X				X	X	X					X				(3)
Indiana	X				X	X	X	X	X	X						(2)
Iowa																(2)
Kansas																(2)
Kentucky																(2)
Louisiana						X		X						X	X	(2)
Maine	X															(2)
Maryland																(4)
Massachusetts	X	X			X	X	X	X	X	X		X				(3)
Michigan	X				X				X			X				(3)
Minnesota																(2)
Mississippi																(4)



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STATUS AND SUMMARY OF PROVISIONS CONTAINED IN STATE BILINGUAL INSTRUCTION/EDUCATION LEGISLATION

Bilingual Instruction Code	Addresses bilingual teacher qualification, training and/or certification requirements	Allows bilingual teacher certification waivers	Provides for use of Teacher Aides	Provides for use of Community Coordinators	Provides for Parent/Community involvement	Makes available supplementary State funds	Provides for administrative elements at SEA level	Outlines methodology for program implementation	Provides for yearly reports to State legislature	Provides for children identified as non-English speakers under the Civil Rights Act	Provides for participation between school districts	Provides for financial assistance to develop bilingual staff	Provides for the use of foreign associated teachers	Provides for enforcement of the mandating legislation	Status
(1) Prohibited															
(2) Permitted															
(3) Mandatory															
(4) Silent															
STATE															
Montana															(1)
Nebraska															(1)
Nevada															(4)
New Hampshire															(2)
New Jersey					X		X	X		X	X				(3)
New Mexico	X				X	X									(2)
New York															(2)
North Carolina															(1)
North Dakota															(1)
Ohio															(4)
Oklahoma															(1)
Oregon															(2)
Pennsylvania															(2)
Rhode Island	X	X	X	X	X	X	X	X		X					(3)
South Carolina															(4)
South Dakota															(4)
Tennessee															(4)
Texas	X					X				X	X				(3)
Utah															(2)
Vermont															(4)
Virginia															(4)
Washington															(2)
West Virginia															(1)
Wisconsin	X		X		X	X		X	X		X	X		X	(3)
Wyoming															(4)
ERIC	13	5	4	2	10	13	8	9	8	2	10	6	1	2	

PART II

**Individual Inventory of Bilingual Education Provisions in
Current State Legislation Governing Education**

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Alabama	PROHIBITED (See Note 1)	- Not authorized; instruction in the first six grades permitted in English only - <u>Note 1</u> : Prohibited in grades 1 through 6 only

Bilingual Education Authority:

Section 498, Title 52,
Alabama Code

Bilingual Education Goal:

None defined

Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

State	Instruction in a Second Language:	Governing Conditions and/or Remarks
Alaska	MANDATORY (if)	<ul style="list-style-type: none"> - 8 or more students are limited English speakers
		<ul style="list-style-type: none"> - <u>Grades Included:</u> Undefined
		<ul style="list-style-type: none"> - <u>Duration:</u> Undefined
	<u>Bilingual Education Authority:</u>	<ul style="list-style-type: none"> - Mandates a cultural component
	Section 14.30.400 and 14.30.410, Article 4, Alaska	<ul style="list-style-type: none"> - Provides supplementary State funds for the schools involved
	School Law	<ul style="list-style-type: none"> - Provides for administration and coordination elements, i.e., Statewide Bilingual/Bicultural Education Center
	<u>Bilingual Education Goal:</u>	<ul style="list-style-type: none"> - Authorizes the Department of Education to develop and adopt regulations governing bilingual-bicultural education in the State's schools
	None defined. Department of Education regulations define an enrichment language arts and cultural program	
	Funds Appropriated in Support of Bilingual Education: <u>(1975-1976 School Year)</u>	

19 \$638,000

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
American Samoa	PERMITTED	<p><u>Note 1:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted.</p> <p><u>Note 2:</u> No formal teaching of the Samoan language was implemented prior to the establishment of an ESEA Title VII Bilingual Education Project in 1975</p> <p><u>Note 3:</u> English is the language of instruction in Samoan schools. As a matter of Department of Education policy the Samoan language has been used for the past ten years to facilitate English instruction</p> <p><u>Note 4:</u> On February 26, 1975, the Samoan Legislature passed a concurrent resolution expressing its full support of the bilingual-bicultural education program (ESEA Title VII) and requesting its rapid and complete implementation</p>
	<p><u>Bilingual Education Authority:</u></p> <p>No statutory provisions recorded</p>	
	<p><u>Bilingual Education Goal:</u></p> <p>None defined</p>	
	<p><u>Local Jurisdiction Funds Appropriated of Bilingual Education: (1975-1976 School Year)</u></p>	
	\$181,700	

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Arizona	PERMITTED	<ul style="list-style-type: none"> - At local option with State Educational Agency (SEA) approval - <u>Grades Included:</u> Common school (1st through 8th grade). Grades 1 through 4 have funding priority. - <u>Duration:</u> 4 years per student, maximum - Provides for yearly evaluation of students in the program - Provides for certification of bilingual education teachers - Provides supplementary State funds for the schools involved (\$50 per pupil maximum) - Provides for yearly SEA reports to the legislature - Provides for participation between school districts
<u>Bilingual Education Authority:</u>		
Title 15, Article X, Revised Statutes, "Bilingual Instruction and Special English Training"		
<u>Bilingual Education Goal:</u>		
Transition. Home language to English, in the early grades.		

Funds Appropriated in Support of Bilingual Education:
(1975-1976 School Year)

\$850,000

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Arkansas	PROHIBITED (See Note 1)	<ul style="list-style-type: none">- Not authorized; instruction permitted in English only- Provides for a \$25 per day fine for using anything but English language for instruction

Bilingual Education Authority:

Note 1: Prohibited in all common school branches in all
schools of the State

Section 80-1605, Arkansas Statutes

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
California	MANDATORY (if)	<p>Kindergarten through 6th grade:</p> <ul style="list-style-type: none"> a. 10 or more non-English speaking pupils or 15 or more limited English speaking pupils with the same primary language and in the same grade level, or 10 or more non-English speaking pupils or 15 or more limited English speaking pupils with the same primary language and in the same age group, in a multigrade or ungraded instructional environment, are enrolled b. The census indicates that any school of a school district has 10 or more limited English speaking pupils with the same primary language in the same grade level, or 10 or more limited English speaking pupils with the same primary language in the same age group, in a multigrade or ungraded instructional environment, are enrolled <p>Further,</p> <ul style="list-style-type: none"> c. In kindergarten and grades 1 through 12 limited English speaking pupils who are not enrolled in 'partial bilingual instruction', 'full bilingual instruction', or 'bilingual-bicultural education' (all defined in text) shall receive the services provided for in an 'individual learning program' (also defined in text)
<u>Bilingual Education Authority:</u>		
Sections 5768.2, 5768.6, 5769, 5769.4 and Chapter 5.76, Division 6, California Education Code		
<u>Bilingual Education Goal:</u>		
Transition: Primary language to English		
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>		<p><u>Grades Included:</u> Kindergarten through 12th grade</p> <p><u>Duration:</u> Undefined, appears to require that bilingual instruction continue until transition is completed</p>
27	\$9,075,000	28

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
California (Continued)		<ul style="list-style-type: none"> - Provides for yearly 'limited English speaker' census and mandates uniform census-taking methods throughout the State. Outlines general methodology - Provides for yearly evaluation of students in the program - Requires a formal LEA application - Mandates a cultural component - Requires parental consent for enrollment of minors - Provides for participation of monolingual English speakers - Prohibits segregation of students for any reason - Provides for certification of bilingual education teachers - Allows bilingual teacher certification waivers - Provides for the use of teacher aides and generally defines mandatory qualifications - Provides for Parent/Community involvement - Provides supplementary State funds for the schools involved - Provides for administration and coordination elements, i. e., School Level Advisory Committees and DOE Bilingual Education Program Administrative Unit - Generally outlines methodology for phasing out old legislation and implementing the new legislation

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
California (Continued)		<ul style="list-style-type: none">- Mandates yearly LEA reports to SEA and SEA reports to the legislature- Provides for participation between school districts- Provides for yearly evaluations of the program- Establishes a Bilingual Teacher Development Grant Program- Provides for development of design and development of a comprehensive language and culture curriculum for teachers already certificated- Mandates a Bilingual-Crosscultural Teacher Directory at SEA level

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Colorado	MANDATORY (if)	<ul style="list-style-type: none"> - 50 or more students are limited English speakers - <u>Grades Included:</u> Kindergarten through 3rd grade - <u>Duration:</u> 4 years per student
<u>Bilingual Education Authority:</u>		<ul style="list-style-type: none"> - Provides for yearly 'limited English speaker' census
Article 24, Title 22, Colorado Revised Statutes of 1973, amended in 1975		<ul style="list-style-type: none"> - Requires a formal Local Education Agency (LEA) application - Mandates a cultural component
<u>Bilingual Education Goal:</u>		<ul style="list-style-type: none"> - Requires parental consent for enrollment of minors
Transition. Home language to English		<ul style="list-style-type: none"> - Provides for participation by monolingual English speakers - Prohibits segregation of students for any reason - Prohibits comingling of disparate age or achievement students - Mandates appointment of Directors of Bilingual Education, at LEA
Funds Appropriated in Support of Bilingual Education: <u>(1975-1976 School Year)</u>		<ul style="list-style-type: none"> - Provides for certification of bilingual education teachers and encourages the use of certificated bilingual education teachers - Allows bilingual teacher utilization waivers - Provides for the use of teacher aides - Provides for use of community coordinators
\$2,350,000		

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Colorado (Continued)		<ul style="list-style-type: none">- Provides for Parent/Community involvement .- Provides supplementary State funds for the schools involved- Provides for administration and coordination elements, i. e., State Bilingual-Bicultural Education Steering Committee and DOE Bilingual-Bicultural Education Unit- Outlines methodology for implementing the legislation- Provides for yearly State Educational Agency (SEA) reports to the legislature- Provides for tutorial grants for children identified under Title VI, Civil Rights Act- Provides for participation between school districts- Provides financial support for development of bilingual education staff

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Connecticut	PERMITTED	<ul style="list-style-type: none"> - At local option without State Educational Agency (SEA) approval provided the purpose is transition - <u>Grades Included:</u> Any level of public school instruction - <u>Duration:</u> Undefined - Includes provisions for early childhood bilingual education programs - Includes provisions for vocational bilingual education programs - Includes provisions for adult bilingual education programs for parents - Provides for a cultural component - Provides for certification of bilingual education teachers (Section 10-146f, Chapter 166, Title X, State Educational Code) - Allows bilingual teacher certification waivers (Section 10-146f, Chapter 166, Title X, State Educational Code) - Provides for application for supplementary Federal funds from the Local Educational Agencies involved - Provides for yearly evaluation reports to the legislature
<u>Bilingual Education Authority:</u>		
Section 10-17, Chapter 164, Title X, State Educational Code		
<u>Bilingual Education Goal:</u>		
Transition. Home language to English		
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>		
\$320,800		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Delaware	PROHIBITED (See Note 2)	Not authorized; instruction in elementary school subjects permitted in English only
<u>Bilingual Education Authority:</u>		<u>Note 1:</u> Delaware does not enforce its "English only" status and had operational ESEA Title VII Bilingual Educa- tional Projects operating during the 1975-1976 school year
Section 122(b) (5), Title 14, Delaware Code		<u>Note 2:</u> Prohibited in elementary school subjects

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Florida	PERMITTED	<ul style="list-style-type: none">- At local option without State Educational Agency (SEA) approval- Provides for supplementary State funds for the schools involved
<u>Bilingual Education Authority:</u>		<u>Note:</u> No other special provisions or conditions are identified in the legislation. Though funding for categorical programs (including Transitional Bilingual Education) is authorized, no funds have ever been appropriated for bilingual education
Section 236.081, State Educational Code		
<u>Bilingual Education Goal:</u>		
None defined. Transition into English is a general Department of Education goal		
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>		
None		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Georgia	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither mandated nor prohibited. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>Jurisdiction:</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Guam	PERMITTED	<ul style="list-style-type: none"> - At option of the Island's school authorities - <u>Grades Included:</u> Undefined - <u>Duration:</u> Undefined
<u>Bilingual Education Authority:</u>		
Subchapter B, Chapter VII, Title XII, Government Code of Guam (Public Law 12-31)		<ul style="list-style-type: none"> - Defines an enrichment Chamorro language and culture program as Bilingual Education - Limits the program to Chamorro language and culture - Implements a "Pull-out" model program for Chamorro children
<u>Bilingual Education Goal:</u>		
Enrichment in Chamorro Language and culture		
<u>Local Jurisdiction Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		
\$129,100		

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Hawaii	PERMITTED	<p><u>Note 1:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted</p> <p><u>Note 2:</u> Hawaii Senate Resolution No 7, offered by the 8th Legislature, 1976, resolved that the Department of Education be requested to seek available Federal support and continued State support for bilingual/bicultural educational programs</p> <p><u>Note 3:</u> Hawaii Senate Resolution No 270, offered by the 8th Legislature, 1976, resolved that the Governor appoint a task force to review the LAU vs NICHOLS decision and current available educational programs for non-English speaking students and make recommendations accordingly</p>
	<u>Bilingual Education Authority:</u>	
	No statutory or other provisions recorded	
	<u>Bilingual Education Goal:</u>	
	None defined	
	<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>	

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Idaho	PROHIBITED (See Note 2)	- Not authorized; instruction permitted in English only <u>Note 1:</u> Idaho had operational ESEA Title VII Bilingual Educational Projects during the 1975-1976 school year <u>Note 2:</u> Prohibited in all subjects in the schools
<u>Bilingual Education Authority:</u> Idaho Code, Section 33-1601		
<u>Bilingual Education Goal:</u> None defined		
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u> None		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Illinois	MANDATORY (if)	<ul style="list-style-type: none"> - 20 or more students are limited English speakers - <u>Grades Included:</u> Undefined - <u>Duration:</u> 3 years or successful transition, whichever is less
<u>Bilingual Education Authority:</u>		<ul style="list-style-type: none"> - Provides for yearly 'limited English speaker' census - Provides for yearly evaluation of students in the program - Provides for 'time in program' extensions - Provides for pre-school bilingual education programs - Provides for summer school bilingual education programs - Requires a formal Local Education Agency (LEA) application - Mandates a cultural component - Requires parental consent for enrollment of minors - Prohibits segregation of students for any reason - Discourages comingling of disparate age or achievement students - Provides for certification of bilingual education teachers - Provides for Parent/Community involvement - Provides for supplementary State funds for the schools involved
<u>Transitional Bilingual Education Act, Illinois School Code (October 1973)</u>		
<u>Bilingual Education Goal:</u>		
Transition: Home language to English		
<u>Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		
51 \$9,000,000		

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Illinois (Continued)		<ul style="list-style-type: none">- Provides for administration and coordination elements, i. e., Department of Transitional Bilingual Education- Allows participation between school districts- Provides for mandatory enrollment of 'limited English speakers'

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Indiana	PERMITTED	<ul style="list-style-type: none"> - At local option with State Educational Agency (SEA) approval - <u>Grades Included:</u> Undefined - <u>Duration:</u> Undefined
<u>Bilingual Education Authority:</u>		- Provides for pre-school bilingual education programs
Chapter 5.5, Section 20-10.1:		- Provides for summer school bilingual education programs
"Bilingual-Bicultural Instruction,"		- Provides for vocational bilingual education programs
Indiana Code, 1976		- Requires a formal Local Educational Agency (LEA) application
<u>Bilingual Education Goal:</u>		- Mandates a cultural component
Transition. Home language		- Requires parental consent for enrollment of minors
to English		- Provides for the participation of monolingual English speakers
		- Discourages comingling of disparate age or achievement students
		- Mandates appointment of a Director of Bilingual Education at SEA level
Funds Appropriated in Support.		- Provides for certification of bilingual education teachers
of Bilingual Education:		- Provides for Parent/Community involvement
<u>(1975-1976 School Year)</u>		
None. Legislation passed in		
February, 1976. Five year minimum		
funding limit stated		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Indiana (Continued)		<ul style="list-style-type: none"> - Provides supplementary State funds for the schools involved if program is approved by the Commission on General Education - Provides for administration and coordination elements, i. e., Division of Migrant Bilingual-Bicultural Education and School Corporation Advisory Committee - Outlines methodology for implementing the legislation - Provides for yearly SEA reports to the legislature - Defines criteria for priority funding of approved LEA bilingual education programs - Limits State funding assistance to \$300 per student enrolled, per year

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Iowa	PERMITTED	<ul style="list-style-type: none"> - When use of a foreign language is deemed appropriate in the teaching of any subject

- Grades Included: Undefined

- Duration: Undefined

- No specific provisions cited in the legislation,

Bilingual Education Authority:

Section 280.4, Code of Iowa,
1975

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions, and/or Remarks</u>
Kansas	PERMITTED	- At local option with State Educational Agency (SEA) approval

- Grades Included: Elementary school grades

- Duration: Undefined

Bilingual Education Authority:

- Requires a formal LEA application

Section 72-1101, Article 11,
Kansas State Laws

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

Unknown

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Kentucky	PERMITTED	Note: Instruction in a language other than English is neither mandated or prohibited. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other
provisions recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

State	Instruction in a Second Language:	Governing Conditions and/or Remarks
Louisiana	PERMITTED	<ul style="list-style-type: none"> - At local option (with or without State Educational Agency approval) or if requested by 25% or more of the heads of households of students attending a particular school
<u>Bilingual Education Authority:</u>		<ul style="list-style-type: none"> - <u>Grades Included:</u> First through 12th grade
Section 273, Title 17, Louisiana Revised Statutes of 1950, as amended in 1975		<ul style="list-style-type: none"> - <u>Duration:</u> 12 years per student (continuous)
<u>Bilingual Education Goal:</u>		<ul style="list-style-type: none"> - Authorizes general curriculum of instruction to include the teaching of a second language
Attainment or maintenance of proficiency in a second language		<ul style="list-style-type: none"> - Provides for petitioning of school board in the event the Board does not voluntarily implement a program
<u>Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		<ul style="list-style-type: none"> - Requires parental request for non-participation
\$1,300,000		<ul style="list-style-type: none"> - Provides supplementary State funds for the elementary schools involved. Costs incurred by secondary schools are borne by the Local Educational Agency
		<ul style="list-style-type: none"> - Outlines methodology for implementing the legislation
		<ul style="list-style-type: none"> - Provides for the use of foreign associated teachers selected and approved by the State Department of Education
		<ul style="list-style-type: none"> - Provides for the enforcement of mandating legislation

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Maine	PERMITTED	<ul style="list-style-type: none"> - At local option subject to yearly State Educational Agency (SEA) approval - <u>Grades Included:</u> Early childhood (no further definition) - <u>Duration:</u> 5 years per student, maximum
<u>Bilingual Education Authority:</u>		
Title XX, Chapter 5, Section 102, Sub-section 16, Revised Statutes		<ul style="list-style-type: none"> - Requires normal certification for bilingual education teachers - No other special provisions or conditions identified in the legislation

Bilingual Education Goal:

Transition. Home language
to English, during early
childhood grades

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Maryland	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other
provisions recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Massachusetts	MANDATORY (if)	<ul style="list-style-type: none"> - 20 or more students, same language classification, are limited English speakers - <u>Duration:</u> 3 years or successful transition, whichever is less
<u>Bilingual Education Authority:</u>		<ul style="list-style-type: none"> - Provides for yearly 'limited English speaker' census - Mandates enrollment of limited English speakers - Provides for 'time in program' extensions - Provides for pre-school bilingual education programs
Chapter 69, Section 35 and Chapter 71A, Section 1, General Laws, Acts of 1971		
<u>Bilingual Education Goal:</u>		<ul style="list-style-type: none"> - Requires a formal Local Educational Agency (LEA) program plan - Mandates a cultural component - Requires parental consent or completion of transition for early withdrawal from program - Discourages segregation of students for any reason - Prohibits comingling of students with different home languages - Discourages comingling of disparate age or achievement students
Transition: Home language to English		<ul style="list-style-type: none"> - Mandates appointment of a Director of Transitional Bilingual Education at State Educational Agency (SEA) level - Provides for certification of bilingual education teachers
Funds Appropriated in Support of Bilingual Education:		
71	(1975-1976 School Year)	
\$4,100,000		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Massachusetts (Continued)		<ul style="list-style-type: none">- Allows bilingual teacher certification waivers- Provides for Parent/Community involvement- Provides supplementary State funds for the schools involved- Provides for administration and coordination elements, i. e., Bureau of Transitional Bilingual Education- Outlines general methodology for implementing the legislation- Provides for yearly SEA reports to the Governor and the General Court- Provides for participation between school districts

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Michigan	MANDATORY (if)	<ul style="list-style-type: none"> - 20 or more students, same language classification, are limited English speakers - <u>Grades Included:</u> Kindergarten through 12th grade - <u>Duration:</u> 3 years or successful transition, whichever is less - Provides for yearly 'limited English speaker' census - Provides for evaluation of student's English language skills - Includes a cultural component - Requires parental consent for enrollment or early withdrawal - Permits comingling of different age or achievement group students - Provides for certification of bilingual education teachers - Provides for Parent/Community involvement - Provides for yearly State Educational Agency (SEA) reports to the legislature - Provides for participation between districts and for 'intermediate' school districts to operate bilingual education programs - Provides for the development and administration of in-service training for bilingual instruction programs
	<u>Bilingual Education Authority:</u>	
	Act No. 294, Public Acts of 1974, approved October, 1974	
	<u>Bilingual Education Goal:</u>	
	Transition: Home language to English	
	<u>Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>	
	\$250,000	

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Minnesota	PERMITTED	<ul style="list-style-type: none"> - At local option with Board of Trustees' approval - <u>Grades Included:</u> Common school (1st through 8th grade) - <u>Duration:</u> Undefined
<u>Bilingual Education Authority:</u>		<ul style="list-style-type: none"> - Limited to one hour per day
Section 126.07, Minnesota Statutes (1960)		<ul style="list-style-type: none"> - Allows 'English as a Second Language' instruction in bilingual education
<u>Bilingual Education Goal:</u>		
Transition. Home language to English		
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>		
None		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Mississippi	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither mandated nor prohibited. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other
provisions recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Missouri	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither mandated nor prohibited. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other
provision recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Montana	PROHIBITED (See Note 2)	- Not authorized; instruction in middle schools, junior high school and high school permitted in English only
<u>Bilingual Education Authority:</u>		<u>Note 1:</u> Montana had operational ESEA Title VII Bilingual Educational Projects during the 1975-1976 school year
Section 75-7504, Montana Schools Code		<u>Note 2:</u> Prohibited in middle schools, junior high schools and high schools

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Nebraska	PROHIBITED (See Note 1)	Not authorized; instruction permitted in English only <u>Note 1:</u> Prohibited in the common school branches of all schools

Bilingual Education Authority:

Article I, Section 27,
Constitution of the State of
Nebraska

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

VENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

State Instruction in a
Second Language:

Governing Conditions
and/or Remarks

da PERMITTED

Note 1: Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted in the public schools

Bilingual Education Authority:

Note 2: Nevada prohibits bilingual instruction in private schools (Section 394.140, Nevada Revised Statutes, 1967).

statutory or other
provisions recorded

Bilingual Education Goal:

defined

as Appropriated in Support
Bilingual Education:
(5-1976 School Year)

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
New Hampshire	PERMITTED (if)	<ul style="list-style-type: none"> - An experimental or demonstration program/project - <u>Grades Included:</u> Undefined - <u>Duration:</u> Undefined

Bilingual Education Authority:

Section 189:19 Chapter 189,
New Hampshire Revised Statutes

- No special provisions or conditions identified

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

Unknown

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
New Jersey	MANDATORY (if)	<ul style="list-style-type: none"> - 20 or more students, same language classification, are limited English speakers - <u>Grades Included:</u> Undefined - <u>Duration:</u> 3 years per student, maximum - Provides for a 'limited English speaker' census - Mandates a cultural component - Requires parental notification of enrollment - Provides for participation of monolingual English speakers - Prohibits segregation of students - Prohibits comingling of students with different home languages - Provides financial support for the development of bilingual staff - Provides for Parent/Community involvement - Provides for administration and coordination elements, i.e., State Advisory Committee on Bilingual Education - Outlines some methodology for implementing the legislation - Provides for participation between school districts
	<u>Bilingual Education Authority:</u>	
	Chapter 35, Title 18A, State Educational Code (Approved January, 1975)	
	<u>Bilingual Education Goal:</u>	
	Transition. Integration into the regular public school curriculum	
	<u>Funds Appropriated in Support of Bilingual Education:</u> (1975-1976 School Year)	
	\$370,000	

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
New Jersey (Continued)		- Makes the State Board of Education and the State Board of Higher Education responsible for developing resources and materials, as necessary

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
New Mexico	PERMITTED	<ul style="list-style-type: none"> - At local option with State Educational Agency (SEA) approval - <u>Grades Included:</u> Kindergarten through 6th grade. Kindergarten through 3rd grade have funding priority - <u>Duration:</u> Undefined
<u>Bilingual Education Authority:</u>		
Article 23, Laws of 1973, New Mexico Schools Act		<ul style="list-style-type: none"> - Requires a formal Local Educational Agency (LEA) application - Mandates a cultural component - Allows 'English as a Second Language' (ESL) or the teaching of ESL in their bilingual multi-cultural education program
<u>Bilingual Education Goal:</u>		
Transition: Ensure equal education opportunity for students in New Mexico		<ul style="list-style-type: none"> - Prohibits segregation of students for any reason - Provides for certification of bilingual education teachers - Provides for Parent/Community involvement - Provides supplementary State funds for the schools involved
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>		
\$1,557,100		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
New York	PERMITTED	<ul style="list-style-type: none"> - At local option without State Educational Agency (SEA) approval if 10 or more students are non-English speakers (Paragraph 3, Section 4401 and Paragraph 7, Section 4404) - <u>Grades Included:</u> First through 12th grade - <u>Duration:</u> 3 years per student - Provides for 'time in program' extensions to a maximum of 6 years - Provides for vocational bilingual education programs - Provides for adult bilingual education programs - Provides for a cultural component
<u>Bilingual Education Authority:</u>		
Paragraph 2, Section 3204, New York School Code		
<u>Bilingual Education Goal:</u>		
Transition: Home language to English		
<u>Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		
\$8,100,000		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
North Carolina	PROHIBITED (See Note 1)	- Not authorized; instruction permitted in English only <u>Note 1:</u> Prohibited in all subjects in the course of study

Bilingual Education Authority:

North Carolina Public Law
115-198, 1955

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
North Dakota	PROHIBITED (See Note 1)	Not authorized; instruction permitted in English only. <u>Note 1: Prohibited in schools.</u>

Bilingual Education Authority:

Chapter 15-47-03, North
Dakota School Code

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Ohio	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Oklahoma	PROHIBITED (See Note 2)	Not authorized; instruction permitted in English only
		<u>Note 1:</u> Oklahoma had operational ESEA Title VII Bilingual Education Projects during the 1975-1976 school year
		<u>Note 2:</u> Prohibited in the public school system
<u>Bilingual Education Authority:</u>		
Section 155, School Laws of Oklahoma		
<u>Bilingual Education Goal:</u>		
None defined		
<u>Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		
None		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Oregon	PERMITTED	<ul style="list-style-type: none"> - At local option without other proviso - <u>Grades Included:</u> All public school grades - <u>Duration:</u> Undefined, may continue until transition is completed - Provides for teaching 'English as a Second Language' at all grade levels until children are able to profit from classes conducted in English. - No other special provisions or conditions identified in the legislation
	<u>Bilingual Education Authority:</u>	
	Section 366.074 and 366.079, Oregon Revised Statutes, 1971	
	<u>Bilingual Education Goal:</u>	
	Transition. Home language to English	
	<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>	
	\$50,000	

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE/LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Pennsylvania	PERMITTED	<p>- At the discretion of State and local educational authorities</p> <p><u>Note:</u> As a result of a court decision holding the Pennsylvania Elementary and Secondary Education Act unconstitutional, provisions for bilingual instruction in Pennsylvania are in Title 22 of the Pennsylvania Code. This is not a statute but a regulation promulgated by the State Board of Education in 1973. Section 5.24 of this title reads as follows:</p> <ol style="list-style-type: none"> Each child whose dominant language is not English shall be provided with either a Bilingual-Bicultural Program or English as a Second Language (ESL) Program in accordance with the standards, guidelines and definitions established by the Secretary. Provisions shall be made for students whose dominant language is English to become acquainted with the language, history, and culture of their non-English speaking peers
	<u>Bilingual Education Authority:</u>	
	None in legislation	
	<u>Bilingual Education Goal:</u>	
	None defined in legislation	
	<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>	
	None	

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>Jurisdiction:</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Puerto Rico	PERMITTED	- The Commonwealth of Puerto Rico has not adopted specific legislation outlining a bilingual education program. Its Constitution provides for the use of English or Spanish, interchangeably, as official languages. As of the year 1952, Spanish has been the language of instruction in Puerto Rican schools with English being taught as a second language and as a special subject in language arts at all grade levels. No other foreign language instruction is offered in Puerto Rican public schools through the 12th grade. This special English language arts program is titled, "The English Program" and is defined by Puerto Rico as bilingual education
<u>Bilingual Education Authority:</u>		
Title I, Section 51, General Education Code, Commonwealth of Puerto Rico		
<u>Bilingual Education Goal:</u>		<u>Note 1:</u> The Puerto Rican school systems' bilingual education program, the "English Language Program," has as a goal the teaching of English as a second language
The English Program: English Arts Proficiency		
The ESEA Title VII Program: Transition. English to Spanish (See Note 1)		The Puerto Rican school systems' ESEA Title VII Bilingual Education Program addresses the goal of transitioning students, coming to Puerto Rico from the U.S. mainland, into the Spanish language, the islands' history
<u>Local Jurisdiction Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		<u>Note 2:</u> The Puerto Rican legislature, from the total spectrum of all funds available to it for appropriations, allocated over 22 million dollars in support of the school systems' "English Language Program."
\$22,544,600 (See Note 2)		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Rhode Island	MANDATORY (if)	<ul style="list-style-type: none"> - 20 or more students, same language classification, are limited English speakers - 20 or more Junior or Senior High School students request it - <u>Grades Included:</u> Kindergarten through 12th grade - <u>Duration:</u> 6 years or successful transition, whichever is less - Provides for yearly 'limited English speaker' census - Provides for yearly evaluation of students in the program - Provides for 'time in program' extensions - Provides for pre-school bilingual education programs - Provides for summer schools bilingual education programs - Provides for vocational bilingual education programs - Provides for adult bilingual education programs - Requires a formal Local Educational Agency (LEA) application - Mandates a cultural component - Requires parental consent for enrollment of minors - Provides for participation by monolingual English speakers - Prohibits segregation of students for any reason
<u>Bilingual Education Authority:</u>		
Chapter 54, Title 16, General Laws of Rhode Island (May, 1974)		
<u>Bilingual Education Goal:</u>		
Transition. Home language to English		
<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>		
See SPECIAL NOTE (following page)		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions, and/or Remarks</u>
Rhode Island (Continued)		<ul style="list-style-type: none"> - Prohibits comingling of students with different home languages - Prohibits comingling of disparate age or achievement students - Mandates appointment of Directors of Bilingual Education at LEA level - Provides for certification of bilingual education teachers - Allows bilingual teacher certification waivers - Provides for the use of teacher aides - Provides for the use of community coordinators - Provides for Parent/Community involvement - Provides supplementary State funds for the schools involved - Provides for administration and coordination elements, i.e., Division for Bilingual Education - Outlines methodology for implementing the legislation - Provides for participation between school districts
<p><u>SPECIAL NOTE:</u></p> <p>Though the legislative provisions cited herein suggest a rather extensive and thorough bilingual education program in the State of Rhode Island, <u>this is not the case.</u> The Act and its provisions are inoperative by virtue of the fact that Section 2 provides that "this Act shall take effect only when funds of the Federal government are made available to and accepted by the State Department of Education to carry out the purpose of this Act on a continuing basis."</p>		

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
South Carolina	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither mandated nor prohibited. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING
EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
South Dakota	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted.

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Tennessee	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Texas	MANDATORY (if)	<ul style="list-style-type: none"> - 20 or more students are limited English speakers - <u>Grades Included:</u> Kindergarten through 3rd grade; 4th & 5th grades are optional - <u>Duration:</u> 3 years or successful transition, whichever is less - Provides for yearly 'limited English speaker' census - Provides for yearly evaluation of students in the program - Provides for 'time in program' extensions - Provides for pre-school bilingual education programs - Provides for summer school bilingual education programs - Mandates a cultural component - Requires parental consent for enrollment in or transfer from program - Prohibits segregation of students for any reason - Discourages comingling of disparate age or achievement students - Provides for certification of bilingual education teachers - Provides assistance to obtain bilingual education staff certification
	<u>Bilingual Education Authority:</u>	
	Subchapter L, Chapter 21, Texas Education Code, Title D "Bilingual Education"	
	<u>Bilingual Education Goal:</u>	
	Transition. (Compensatory program of bilingual education leading to transition into English)	
	<u>Funds Appropriated in Support of Bilingual Education:</u> <u>(1975-1976 School Year)</u>	
	\$6,216,000	

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Texas (Continued)		<ul style="list-style-type: none">- Provides supplementary State funds for the schools involved- Provides for participation between school districts

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Trust Territory of the Pacific Islands	PERMITTED	- As a matter of policy within the Department of Education
<u>Bilingual Education Authority:</u>		<u>Note:</u> Micronesian authorities are currently actively engaged in developing a plan for bilingual education in the Trust Territories. It involves teaching one of several Micronesian languages up to a specific grade level (5th grade) and then gradually switching to English
No statutory provisions recorded		

Bilingual Education Goal:

Proficiency in Native Language
Arts (First five years) and
Proficiency in English Language
Arts (Second through Twelfth
Grade)

Local Jurisdiction Funds Appropriated
of Bilingual Education:
(1975-1976 School Year)

None

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Utah	PERMITTED	<ul style="list-style-type: none"> - At local option without State Educational Agency (SEA) approval and through the Compensatory Education Program - <u>Grades Included:</u> Undefined

Bilingual Education Authority:

Section 2, Subsection 53-7-18
a and b, Utah Code, as amended
in July 1975

- Duration: Undefined
- Requires a formal Local Educational Agency application

Bilingual Education Goal:

Compensatory. (For disadvantaged
pupils and pupils with bilingual or
bicultural characteristics)

Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)

\$404,500 (Through the State's
Compensatory Education Program)

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Vermont	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)

None

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Virginia	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither mandated nor prohibited. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>Jurisdiction:</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Virgin Islands	MANDATORY (if)	<ul style="list-style-type: none"> - 10 or more students, same language classification, are limited English speakers - <u>Grades Included:</u> Undefined - <u>Duration:</u> Undefined
<u>Bilingual Education Authority:</u>		
Section 41, Chapter 5, Title 17, . Virgin Islands Code		<ul style="list-style-type: none"> - Provides for the use of bilingual teacher aides - Provides supplementary funds for the schools involved - Provides for recruitment and training of bilingual education staff
<u>Bilingual Education Goal:</u>		
Transition. Home language to English		<ul style="list-style-type: none"> - Accepts and incorporates the provisions of the Act of the U.S. Congress, approved January 2, 1968, cited as the "Bilingual Education Act" and any act or acts amendatory thereto

Local Jurisdiction Funds Appropriated
in Support of Bilingual Education:
(1975-1976 School Year)

\$44,000

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Washington	PERMITTED	<ul style="list-style-type: none"> - If it will aid the educational advancement of students - <u>Grades Included:</u> Undefined - <u>Duration:</u> Undefined
<u>Bilingual Education Authority:</u>		
Chapter 71, Washington Laws of 1969		
<ul style="list-style-type: none"> - No special provisions or conditions identified in the legislation 		

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

\$561, 300 (Through the Washington
Racially Disadvantaged Program)

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
West Virginia	PROHIBITED (See Note 1)	- Not authorized; instruction permitted in English only <u>Note 1:</u> Prohibited in the common school branches of all schools

Bilingual Education Authority:

Chapter 8-2-7, West Virginia
Code

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Wisconsin	MANDATORY (if)	<ul style="list-style-type: none"> - 10 or more students in Kindergarten through 3rd grade or 20 or more students in 4th through 8th grade or 20 or more students in 9th through 12th grade, same language group, are limited English speakers
<u>Bilingual Education Authority:</u>		<ul style="list-style-type: none"> - <u>Grades Included:</u> Kindergarten through 12th grade
Chapter 395, Laws of 1976, June 9, 1976		<ul style="list-style-type: none"> - <u>Duration:</u> Undefined, may continue until transition is completed
<u>Bilingual Education Goal:</u>		<ul style="list-style-type: none"> - Provides for yearly 'limited English speaker' census - Provides for pre-school bilingual education programs
Transition. Home language to English		<ul style="list-style-type: none"> - Provides for summer schools bilingual education programs - Requires parental consent, in writing, for enrollment - Mandates enrollment if parent or guardian consents - Provides for participation of monolingual English speakers - Prohibits segregation of students for any reason - Provides for certification of bilingual education teachers
<u>Funds Appropriated in Support of Bilingual Education: (1975-1976 School Year)</u>		<ul style="list-style-type: none"> - Provides for the use of bilingual teacher aides and bilingual counselor aides
Legislation passed in June 1976, funds not as yet appropriated		<ul style="list-style-type: none"> - Provides for Parent/Community involvement - Provides for supplementary State funds for the schools involved

INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Wisconsin (Continued)		<ul style="list-style-type: none">- Outlines methodology for implementing the legislation- Provides for yearly Local Education Agency reports to State Education Agency (SEA) and SEA reports to the legislature- Provides for enforcement of the mandating legislation- Provides for participation between school districts and/or between school districts and a cooperative educational service agency- Provides for financial assistance to develop bilingual education skills and staff- Appropriates fund for special bilingual education teacher or counselor certification actions- Mandates a minimal program or an optional expanded program in bilingual education. Each is defined

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INVENTORY OF BILINGUAL EDUCATION PROVISIONS IN CURRENT STATE LEGISLATION GOVERNING EDUCATION

<u>State</u>	<u>Instruction in a Second Language:</u>	<u>Governing Conditions and/or Remarks</u>
Wyoming	PERMITTED	<u>Note:</u> Instruction in a language other than English is neither prohibited nor mandated. Therefore, it is assumed such instruction is permitted

Bilingual Education Authority:

No statutory or other provisions
recorded

Bilingual Education Goal:

None defined

Funds Appropriated in Support
of Bilingual Education:
(1975-1976 School Year)

None